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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR   | ATTORNEY DOCKET NO.             | CONFIRMATION NO.       |
|---|-------------|------------------------|---------------------------------|------------------------|
| 10/506,787  | 06/15/2005  | Fredrick Mark Manasseh | 101374.55365US                  | 4505                   |
| 23911 7590 09/20/2007<br>CROWELL & MORING LLP<br>INTELLECTUAL PROPERTY GROUP<br>P.O. BOX 14300<br>WASHINGTON, DC 20044-4300 |             |                        | EXAMINER<br>CHAN, CHRISTOPHER T |                        |
|   |             |                        | ART UNIT<br>2146                | PAPER NUMBER           |
|   |             |                        | MAIL DATE<br>09/20/2007         | DELIVERY MODE<br>PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

|                              |                               |                                 |  |
|------------------------------|-------------------------------|---------------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>10/506,787 | Applicant(s)<br>MANASSEH ET AL. |  |
|                              | Examiner<br>Christopher Chan  | Art Unit<br>2146                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 September 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> .                                  | 6) <input type="checkbox"/> Other: _____                          |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :9/7/2004, 4/28/2005, 3/6/2007, 6/28/3007.

### **DETAILED ACTION**

1. The instant application having Application No. 10/506787 has a total of 38 claims pending in the application; there are 2 independent claims and 36 dependent claims, all of which are ready for examination by the examiner.

#### **Oath/Declaration**

2. The applicant's oath/declaration has been reviewed by the examiner and is found to conform to the requirements prescribed in **37 C.F.R. 1.63**.

#### **Priority**

3. As required by **M.P.E.P. 201.14(c)**, acknowledgement is made of applicant's claim for priority based on applications filed on March 7, 2002 (US 60/362,073).

#### **Information Disclosure Statement**

4. As required by **M.P.E.P. 609(C)**, the applicant's submissions of the Information Disclosure Statements dated September 7, 2004, April 28, 2005, March 6, 2007, and June 28, 2007 are acknowledged by the examiner and the cited references have been considered in the examination of the claims now pending. As required by **M.P.E.P 609 C(2)**, copies of the PTOL-1449 initialed and dated by the examiner are attached to the instant office action.

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**Claim Objections**

5. Regarding Claims 10-11 and 29-30, the phrase "synchronized multi channel" is not clearly defined within the specification and it is unclear as to exactly what type of stream it is. For the purpose of examination, the Examiner respectfully will interpret it under the broadest reasonable interpretation to one of ordinary skill in the art.

**Claim Rejections - 35 USC § 102**

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-  
(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent; or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English.

Claims 1-38 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,559,769 (hereinafter Anthony et al.).

Regarding Claim 1, Anthony et al. taught an apparatus for the monitoring and recording of data stream associated with a transportation vehicle (**Abstract; system that can be used on mobile vehicles to stream digital audio/video to remote centers where they are recorded and analyzed**), the apparatus comprising:

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at least one capture device for receiving the data stream depicting activities within the transportation vehicle (**Abstract; digital video cameras locally placed**);

at least one recording device for recording the captured data stream about the activities within the transportation vehicle (**Col. 10, Lines 65-67; streaming media server storing the video clips**); and

a communication device for communicating the recorded data stream to a monitoring station (**Abstract; telecommunications device to a satellite that downlinks the data signals to control centers for recording and analysis**).

Regarding Claim 2, Anthony et al. taught the apparatus 1 further comprising at least one alarm activator device for activating the at least one capture device (**Col. 8, Lines 1-14; manual and automatic activation based on triggering event that was activate audio/video. Col. 11, Lines 54-65; alarm switch device connected to the serial port of the mobile unit. Col. 12, Lines 35-39; alarm mode has cameras on**).

Regarding Claim 3, Anthony et al. taught the apparatus further comprising at least one database device for storing the recorded multi-media data stream (**Col. 8, Lines 31-36; data downlinked onto a database**).

Regarding Claim 4, Anthony et al. taught the apparatus further comprising an analysis device for analyzing the data stream (**Col. 9, Lines 22-28; centralized data center which receives and analyzes the signals being downlinked**).

Regarding Claim 5, Anthony et al. taught the apparatus further comprising a disabler device for disabling the control of the transportation vehicle (**Col. 22, Lines 30-40; trigger engine shut-down, thereby disables control**).

Regarding Claim 6, Anthony et al. taught the apparatus 1 further comprising a disabler device for controlling the transportation vehicle from a location external to the transportation vehicle (**Col. 22, Lines 30-40; trigger from the external control center**).

Regarding Claim 7, Anthony et al. taught the apparatus further comprising a control device for controlling the at least one capture device or the at least one recording device or the at least one communication device (**Col. 5, Lines 52-57; black box controls camera activation**).

Regarding Claim 8, Anthony et al. taught the apparatus further comprising a monitoring device for monitoring events captured by the at least one capture device (**Col. 5, Lines 6-22; monitoring apparatus for monitoring based on received signals from the plurality of cameras**).

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Regarding Claim 9, Anthony et al. taught the apparatus further comprising a retrieval device for retrieving a part or whole of the data stream captured by the at least one capture device associated with the transportation vehicle (**Col. 5, lines 6-22; uplinking to a satellite**).

Regarding Claim 10, Anthony et al. taught the apparatus wherein the data stream is a synchronized multi channel multimedia data stream (**Col. 15, Lines 31-34; a plurality of channels are monitored which hold the data stream of audio and video. Furthermore, the Abstract teaches of such data being real-time, therefore the system and the data it transmits must be synchronized with what actually occurs on the vehicle. Data is also relayed to a satellite as well, which must be in a geosynchronous orbit and synchronized to any transmitter/receivers**).

Regarding Claim 11, Anthony et al. taught the apparatus wherein the data stream is a synchronized multi channel multimedia data stream and radio signals (**in addition to the rejection of Claim 10, Col. 21, Lines 25-27 teaches of using GPRS, or general packet radio service**).

Regarding Claim 12, Anthony et al. taught the apparatus wherein the at least one capture device is a video camera (**Col. 6, Lines 25-27; cameras, further referenced in the rejections above as well**).



Regarding Claim 13, Anthony et al. taught the apparatus wherein the at least one capture device is a microphone (**Col. 11, Line 54**).

Regarding Claim 14, Anthony et al. taught the apparatus of claim 1 wherein the at least one capture device is a radio receiver (**Col. 13, Lines 16-20; control signals received on mobile units are via cellular, which by Col. 12, Lines 1-6 can be of general packet radio service type**).

Regarding Claim 15, Anthony et al. taught the apparatus wherein the at least one capture device or the at least one recording device or the at least one communication device is located within the transportation vehicle (**Col. 5, Lines 7-11; locally placed device on automobile**).

Regarding Claim 16, Anthony et al. taught the apparatus wherein the at least one capture device or the at least one recording device or the at least one communication device is located external to the transportation vehicle (**Col. 10, Lines 13-20; data recorded onto databases at remote centers**).

Regarding Claim 17, Anthony et al. taught the apparatus the at least one analysis device is located within the transportation vehicle (**Col. 8, Lines 12-21; automatic trigger event activation of system, thereby the system having continuous analysis of the situation be on certain predetermined triggering events as**

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**handled by processors on Col. 7, Lines 32-36, which by themselves are essentially analysis devices).**

Regarding Claim 18, Anthony et al. taught the apparatus wherein the at least one analysis device is located external to the transportation vehicle in a command and control center or a crisis-management facility **(Col. 8, Lines 22-36; law enforcement can handle crisis management and the above teaches of analysis and monitoring at control centers).**

Regarding Claim 19, Anthony et al. taught the apparatus of claim 1 wherein the at least one communication device transmits a transmission to be later redistributed **(Col. 14, Lines 13-20; streaming via a predetermined schedule or periodically, thereby later redistribution is fully possible).**

Regarding Claim 20, Anthony et al. taught a method for the monitoring and recording of data stream associated with a transportation vehicle **(Abstract; system that can be used on mobile vehicles to stream digital audio/video to remote centers where they are recorded and analyzed)**, the method comprising the steps of:  
receiving the data stream depicting activities within the transportation vehicle by at least one capture device **(Abstract; digital video cameras locally placed);**

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recording the captured data stream about the activities within the transportation vehicle by at least one recording device (**Col. 10, Lines 65-67; streaming media server storing the video clips**); and

communicating the recorded data stream to a monitoring station by a communication device (**Abstract; telecommunications device to a satellite that downlinks the data signals to control centers for recording and analysis**).

Regarding Claim 21, Anthony et al. taught the method further comprising the step of activating the at least one capture device by at least one alarm activator device (**Col. 8, Lines 1-14; manual and automatic activation based on triggering event that was activate audio/video. Col. 11, Lines 54-65; alarm switch device connected to the serial port of the mobile unit. Col. 12, Lines 35-39; alarm mode has cameras on**).

Regarding Claim 22, Anthony et al. taught the method further comprising the step of storing the recorded multi-media data stream in an at least one database device (**Col. 8, Lines 31-36; data downlinked onto a database**).

Regarding Claim 23, Anthony et al. taught the method further comprising the step of analyzing the data stream (**Col. 9, Lines 22-28; centralized data center which receives and analyzes the signals being downlinked**).

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Regarding Claim 24, Anthony et al. taught the method further comprising the step of disabling the control of the transportation vehicle **(Col. 22, Lines 30-40; trigger engine shut-down, thereby disables control)**.

Regarding Claim 25, Anthony et al. taught the method further comprising the step of controlling the transportation vehicle from a location external to the transportation vehicle **(Col. 22, Lines 30-40; trigger from the external control center)**.

Regarding Claim 26, Anthony et al. taught the method further comprising the step a control device for controlling the at least one capture device or the at least one recording device or the at least one communication device **(Col. 5, Lines 52-57; black box controls camera activation)**.

Regarding Claim 27, Anthony et al. taught the method further comprising the step of monitoring events captured by the at least one capture device **(Col. 5, Lines 6-22; monitoring apparatus for monitoring based on received signals from the plurality of cameras)**.

Regarding Claim 28, Anthony et al. taught the method further comprising the step of retrieving a part or whole of the data stream captured by the at least one capture device associated with the transportation vehicle **(Col. 5, lines 6-22; uplinking to a satellite)**.

Regarding Claim 29, Anthony et al. taught the method wherein the data stream is a synchronized multi channel multimedia data stream (**Col. 15, Lines 31-34; a plurality of channels are monitored which hold the data stream of audio and video.** Furthermore, the Abstract teaches of such data being real-time, therefore the system and the data it transmits must be synchronized with what actually occurs on the vehicle. Data is also relayed to a satellite as well, which must be in a geosynchronous orbit and synchronized to any transmitter/receivers).

Regarding Claim 30, Anthony et al. taught the method the data stream is a synchronized multi channel multimedia data stream and radio signals (**in addition to the rejection of Claim 10, Col. 21, Lines 25-27 teaches of using GPRS, or general packet radio service).**

Regarding Claim 31, Anthony et al. taught the method wherein the at least one capture device is a video camera (**Col. 6, Lines 25-27; cameras, further referenced in the rejections above as well).**

Regarding Claim 32, Anthony et al. taught the method wherein the at least one capture device is a microphone (**Col. 11, Line 54).**

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Regarding Claim 33, Anthony et al. taught the method wherein the at least one capture device is a radio receiver (**Col. 13, Lines 16-20; control signals received on mobile units are via cellular, which by Col. 12, Lines 1-6 can be of general packet radio service type**).

Regarding Claim 34, Anthony et al. taught the method wherein the at least one capture device or the at least one recording device or the at least one communication device is located within the transportation vehicle (**Col. 5, Lines 7-11; locally placed device on automobile**).

Regarding Claim 35, Anthony et al. taught the method wherein the at least one capture device or the at least one recording device or the at least one communication device is located external to the transportation vehicle (**Col. 10, Lines 13-20; data recorded onto databases at remote centers**).

Regarding Claim 36, Anthony et al. taught the method wherein the at least one analysis device is located within the transportation vehicle (**Col. 8, Lines 12-21; automatic trigger event activation of system, thereby the system having continuous analysis of the situation be on certain predetermined triggering events as handled by processors on Col. 7, Lines 32-36, which by themselves are essentially analysis devices**).

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Regarding Claim 37, Anthony et al. taught the method wherein the at least one analysis device is located external to the transportation vehicle in a command and control center or a crisis-management facility (**Col. 8, Lines 22-36; law enforcement can handle crisis management and the above teaches of analysis and monitoring at control centers**).

Regarding Claim 38, Anthony et al. taught the method wherein the at least one communication device transmits a transmission to be later redistributed (**Col. 14, Lines 13-20; streaming via a predetermined schedule or periodically, thereby later redistribution is fully possible**).

### **Conclusion**

7. See the enclosed *Notice of References Cited* for a list of prior art that are considered pertinent to the applicant's disclosure but not explicitly relied upon in this action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Chan whose telephone number is (571) 270-1927. The examiner can normally be reached on Monday-Friday from 9AM to 5PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Pwu, can be reached on 571-272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher Chan

September 15, 2007

  
JEFFREY PWU  
SUPERVISORY PATENT EXAMINER